

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YOEL WEISSHAUS,

Plaintiff,

11 Civ. 6616 (RKE)

-against-

ORDER

PORT AUTHORITY OF NEW YORK
AND NEW JERSEY,

Defendant.

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ORDER

Upon consideration of the Port Authority's letter motion for leave to file supplemental papers in support of summary judgment, ECF No. 186, as well as Plaintiff's letter motion for discovery and submission of a rebuttal expert, ECF No. 187, it is hereby

ORDERED that Plaintiff's request to present a rebuttal expert is granted upon the condition that the Court determines such witness is an expert qualified to explain, repel, counteract, or disprove evidence presented by Elizabeth McCarthy during her deposition on April 20, 2023; it is further

ORDERED that Plaintiff shall provide the Court and the Port Authority, no later than Friday, June 23, 2023, with the name of the expert witness he intends to present, as well as a written expert report that complies with the requirements of Federal Rule of Civil Procedure 26(a)(2)(B), which will allow the Court to make an initial determination as to whether the proposed witness qualifies as an expert; it is further

ORDERED that, should the Court determine that Plaintiff's expert is qualified, Plaintiff shall submit to the Court and the Port Authority his rebuttal expert testimony no later than Friday,

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July 21, 2023; and it is further

ORDERED that the Court will reserve decision on the Port Authority's request for leave to permit the parties to amend their respective motions for summary judgment until after Plaintiff's request for a rebuttal expert has been resolved.

/s/ Richard K. Eaton

U.S.D.J., by Designation

Dated: May 22, 2023

New York, New York